

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

VARIA HOLDINGS LLC,

Plaintiff,

v.

RESEARCH IN MOTION CORP.
and RESEARCH IN MOTION LTD.,

Defendants.

C.A. No. 12-320-SLR-MPT

**PLAINTIFF VARIA HOLDINGS LLC'S
ANSWER TO DEFENDANTS' COUNTERCLAIMS**

Plaintiff Varia Holdings LLC ("Varia"), by and through its undersigned counsel, hereby replies to the Counterclaims of Research in Motion Corp. and Research in Motion Ltd. (collectively, "Defendants"). The numbered and/or titled paragraphs in the following Answer to Defendants' Counterclaims correspond to the paragraph numbers and/or titles of Defendants' Counterclaims.

RIM'S COUNTERCLAIMS

41. Varia incorporates by reference Paragraphs 1 through 22 of its Complaint, the Defendants' answers to which are cited in Paragraph 41 of Defendants' Answer and Counterclaims.

NATURE OF THE LAWSUIT

42. Varia admits the allegations of this paragraph.

THE PARTIES

43. Varia admits the allegations of this paragraph.

44. Varia admits the allegations of this paragraph.

45. Varia admits the allegations of this paragraph.

FACTS COMMON TO ALL COUNTS

46. Varia admits the allegations of this paragraph.

47. Varia admits that it does not manufacture any product covered by any claims of the patent-in-suit. Varia denies the remaining allegations of this paragraph.

48. Varia admits that, as a corporate entity, it did not invent the subject matter claimed in the patent-in-suit.

JURISDICTION AND VENUE

49. Varia admits the allegations of this paragraph.

50. Varia admits that venue lies in this judicial district under 28 U.S.C. §§ 1391(b), 1931(c), and 1400(b). Varia denies the remaining allegations of this paragraph.

51. Varia admits that an actual and justiciable controversy exists between Varia and Defendants concerning infringement and validity with respect to the patent-in-suit. Varia denies the remaining allegations of this paragraph.

COUNT ONE

(Declaratory Judgment of Non-Infringement)

52. Varia incorporates herein by reference its responses to the allegations in paragraphs 41 through 51.

53. Varia admits the allegations of this paragraph.

54. Varia admits the allegations of this paragraph.

55. Varia denies each and every allegation in this paragraph.

56. Varia admits that Defendants' Counterclaims purport to seek a declaration of noninfringement of the patent-in-suit. Varia denies the remaining allegations of this paragraph.

57. Varia denies each and every allegation in this paragraph.

COUNT TWO

(Declaratory Judgment of Invalidity)

58. Varia incorporates herein by reference its responses to the allegations in paragraphs 41 through 57.

59. Varia admits that Defendants' Counterclaims purport to seek a declaration of invalidity of one or more claims of the patent-in-suit. Varia denies the remaining allegations of this paragraph.

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Dated: July 9, 2012

/s/ Jason J. Rawnsley

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